



Attorney Docket No.: 018158-024500US
Client Ref. No.: VX-1209

PTO/SB/01A (08-03)

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	CALIBRATING LASER BEAM POSITION AND SHAPE USING AN IMAGE CAPTURE DEVICE
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/808,728, filed on March 24, 2004,
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor 1 Dimitri A. Chernyak Date: 10/1/04

Signature:  Citizen of: United States

Inventor 2 Keith Holliday Date: 10/4/04

Signature:  Citizen of: United Kingdom

Inventor 3 Mathew Clopp Date: 10/4/04

Signature:  Citizen of: United States

Inventor 4 _____ Date: _____

Signature: _____ Citizen of: _____

☐ Additional inventors are being named on additional form(s) attached hereto.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Dimitri A. Chernyak, et al.Application No./Patent No.: 10/808,728Filed/Issue Date: March 24, 2004Entitled: CALIBRATING LASER BEAM POSITION AND SHAPE USING AN IMAGE CAPTURE DEVICEVISX, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

10-4-04

Date

Telephone numberDouglas H. Post

Typed or printed name

Douglas H. Post
Signature_____
President

Title